

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW HAMPSHIRE

Mary Ann Stalter

v.

Case No. 05-cv-70-PB

New Hampshire Seacoast Cruises, Inc.

NOTICE OF RULING

**Re: Document No. 21, Motion in Limine to Exclude  
Expert Testimony**

**Ruling:** Defendant filed a well-supported motion to preclude testimony from the plaintiff's experts based on the plaintiff's failure to comply with expert disclosure deadlines established by the court. The motion and supporting materials establish both that the disclosure was several months late and that plaintiff had also failed to comply with an earlier expert disclosure deadline. Plaintiff's responsive memorandum does not persuasively demonstrate either that the defendant was not prejudiced by the late disclosure or that the delay was substantially justified. In the future, plaintiff's counsel should seek extensions of disclosure deadlines rather than let them pass and hope that noncompliance will be excused. Motion granted.

Entered by: Paul Barbadoro, U.S. District Judge

Date: September 13, 2006

cc: Paul Haley, Esq.  
Thomas Hunt, Esq.  
Leonard Langer, Esq.  
William Pandolph, Esq.